Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no lather than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Ms. Leslie A. Van Leeuwen, (Registration number: 42,196), on 5/28/08.

3. The claims have been amended as follows:

Replace claim 1 with the following claim:

1. A method for load balancing code execution, said method comprising:

compiling a first source code subtask and a second source code subtask, the compiling resulting in a first byte code subtask and a second byte code subtask;

translating the first byte code subtask to a first object code subtask;

executing the first object code subtask using one of a plurality of heterogeneous processor types;

during the execution of the first object code subtask, the method further comprises:

retrieving the second byte code subtask using a runtime loader;

in response to retrieving the second byte code subtask, using the runtime loader to identify a processor type from the plurality of heterogeneous processor types in which to execute the second byte code subtask, wherein the identifying includes retrieving a loading factor for each of the plurality of heterogeneous processor types and determining an availability of each of the plurality of heterogeneous processor types using the loading factors;

in response to identifying the processor type, using the runtime loader to translate the second byte code subtask to a second object code subtask;

loading the second object code subtask into a processor that corresponds to the identified processor type;

determining whether to store a pointer in a byte code file, the pointer including a stored location that corresponds to the second byte code subtask;

storing the pointer in the byte code file in response to the determination;

storing the second byte code subtask at the stored location in response to the determination; and

performing the retrieving using the pointer, wherein the retrieving includes analyzing the stored location and retrieving the second byte code subtask in response to the analyzing.

Claims 2-20 -- Canceled

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camquy Truong whose telephone number is (571) 272 - 3773. The examiner can normally be reached on 8 AM- 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR of Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

Camquy Truong

May 20, 2008

/Meng-Ai An/

Supervisory Patent Examiner, Art Unit 2195